

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**CARLOS R. WILLIAMS,**

**Petitioner,**

**v.**

**J.C. GILES, WARDEN, and  
THE ATTORNEY GENERAL OF  
THE STATE OF ALABAMA,**

**Respondents.**

**Case No.: 2:10-CV-1069-RDP-HGD**

**ORDER**

On July 21, 2011, the Magistrate Judge entered a Report and Recommendation (Doc. # 10), recommending that habeas corpus relief be denied with respect to Petitioner's claims (3) through (13), and that the court conduct an evidentiary hearing pursuant to Rule 7 of the *Rules Governing Habeas Corpus Cases under Section 2254* to determine the viability of Petitioner's claims (1), (2), and (14). Respondents filed objections on August 4, 2011, contending that habeas corpus relief should have been denied with respect to Petitioner's claims (1) and (2). (Doc. # 13). Petitioner has not filed any objections.

After careful consideration of the record in this case and the Magistrate Judge's Report and Recommendation (Doc. # 10), the court hereby **ADOPTS** the Report of the Magistrate Judge and **ACCEPTS** his Recommendations.

Accordingly, it is hereby **ORDERED** as follows:

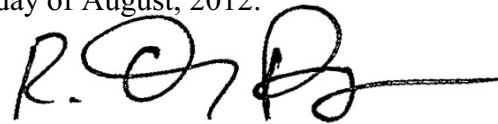
1. Petitioner's request for habeas corpus relief based on Claims (3) through (13) is **DENIED.**

2. With respect to Petitioner's Claims (1), (2), and (14), the court will conduct an evidentiary hearing to determine the viability of Petitioner's argument that trial counsel failed to call Petitioner as a witness in his own defense despite Petitioner's stated desire to testify.

This case is **REFERRED** back to the Magistrate Judge to conduct a hearing in accordance with the Report and Recommendation.

The Clerk of the Court is **DIRECTED** to send a copy of this order to Petitioner.

**DONE** and **ORDERED** this 8th day of August, 2012.

A handwritten signature in black ink, appearing to read 'R. David Proctor', written over a horizontal line.

**R. DAVID PROCTOR**  
UNITED STATES DISTRICT JUDGE